

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 019699  
ORIGIN EA-09

INFO OCT-01 ISO-00 EB-08 CAB-02 CIAE-00 COME-00 DODE-00  
DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 SS-15 H-01  
NSC-05 /052 R

DRAFTED BY EA/PRCM: J G AUBERT:JCM  
APPROVED BY EA/PRCM: H E T THAYER  
EB/OA/AVP: J GORDAN

-----290335Z 096720 /22

R 281543Z JAN 77  
FM SECSTATE WASHDC  
TO USLO PEKING  
INFO AMCONSUL HONG KONG

LIMITED OFFICIAL USE STATE 019699

E.O. 11652: N/A

TAGS: EAIR, CH, US

SUBJECT: CIVAIR: PANAM RENEWS REQUEST FOR OVERFLIGHT  
RIGHTS

REFERENCE: 75 STATE 102443, 75 PEKING 855

1. PANAM HAS GIVEN THE DEPARTMENT A COPY OF LETTER FROM  
ITS BOARD CHAIRMAN, WILLIAM SEAWELL, TO LI SHU-FAN, CAAC  
DEPUTY DIRECTOR, RENEWING PANAM 'S 1975 REQUEST FOR OVER-  
FLIGHT RIGHTS BETWEEN HONG KONG AND TEHRAN/NEW DELHI (SEE  
REFTELS). TEXT FOLLOWS:

2. DEAR MR. LI:

I REFER TO MY LETTER OF APRIL 15, 1975 TO MR. SHEN TIEN-CHI  
DEPUTY DIRECTOR OF THE COMMANDING DEPARTMENT OF THE GENERAL  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 019699

ADMINISTRATION OF CIVIL AVIATION OF CHINA AND YOUR REPLY  
OF JULY 15, 1975.

OUR COMPANY SEEKS, ON A CONTINUING BASIS, WAYS TO IMPROVE  
SERVICE AND EFFICIENCY. IN THIS CONNECTION WE ARE STILL  
DESIROUS OF REDUCING THE TIME OF OUR AROUND-WORLD SERVICE  
BY FLYING DIRECTLY BETWEEN HONG KONG AND POINTS WEST,

NAMELY, TEHRAN AND/OR NEW DELHI.

APPLICATION TO OVERFLY THE PEOPLE'S REPUBLIC OF CHINA ON THE FOLLOWING AERONAUTICAL ROUTING: TO ENTER THE PEOPLE'S REPUBLIC OF CHINA FROM LASHIO (BURMA) TO LINGTSANG, KUNMING, POSEH, KAOYAO, PUSHAN, PAIYUN, SHIHLUNG TO A POINT, LATITUDE 22 30; NORTH AND LONGITUDE 114 54' EAST, THENCE TO HONG KONG.

IF THIS REQUEST CAN BE GRANTED, FULL OPERATIONAL DETAILS WILL BE SUPPLIED PROMPTLY AS REQUIRED.

I AVAIL MYSELF OF THIS OPPORTUNITY TO EXTEND TO YOU THE ASSURANCES OF MY HIGHEST CONSIDERATION.  
SINCERELY YOURS, WILLIAM T. SEAWELL. END TEXT.

3. PANAM HAS ALSO PROVIDED A COPY OF CAAC'S JULY 15, 1975 RESPONSE TO PANAM'S PREVIOUS REQUEST, TEXT OF WHICH READS: MR. WILLIAM T. SEAWELL, WE HAVE PLEASURE TO ACKNOWLEDGE RECEIPT OF YOUR LETTER DATED APRIL 15, 1975 ADDRESSED TO MR. SHEN TIEN-SHIH, DEPUTY DIRECTOR OF COMMANDING DEPARTMENT OF THE GENERAL ADMINISTRATION OF CIVIL AVIATION OF CHINA. WE APPRECIATE THE GROUND LANDING SERVICES RECENTLY RENDERED TO OUR FLIGHT BY YOUR AIRLINE AND KINDNESS FOR US IN YOUR LETTER.

WE FIND IT DIFFICULT AT PRESENT FOR US TO AGREE TO THE REQUEST FOR YOUR INDIA--HONG KONG SERVICES TO OVERFLY THE PEOPLE'S REPUBLIC OF CHINA. WITH REGARDS, DE-LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 019699

PARTMENT OF INTERNATIONAL AFFAIRS, CAAC. END TEXT.

4. FYI: THE PRC IS A SIGNATORY OF THE CHICAGO CONVENTION ON INTERNATIONAL CIVIL AVIATION, WHICH REQUIRES SIGNATORIES TO PERMIT EACH OTHER OVERFLIGHT RIGHTS FOR NON-SCHEDULED PRIVATE FLIGHTS. CONDITIONS MAY BE ATTACHED TO THESE: E.G. ESCORT CREWS, ADHERENCE TO FIXED ROUTES, ETC. PRC AIRCRAFT HAVE ON OCCASION OVERFLOWN US AIRSPACE ON THIS BASIS. PANAM'S REQUEST, HOWEVER, IS FOR SCHEDULED OVERFLIGHTS. SUCH ARRANGEMENTS ARE COVERED BY THE INTERNATIONAL AIR SERVICES TRANSIT AGREEMENT, WHICH WAS NEGOTIATED AT THE SAME TIME AS THE CHICAGO CONVENTION. THE PRC IS NOT A SIGNATORY OF THIS AGREEMENT. ALTHOUGH THE USG NORMALLY NEGOTIATES ON BEHALF OF US AIR CARRIERS SINCE THE CARRIERS ARE NOT THEMSELVES IN A POSITION TO OFFER RECIPROCAL CONCESSIONS TO FOREIGN AIRLINES, THERE IS NO LEGAL IMPEDIMENT PREVENTING A US CARRIER FROM REQUESTING OVERFLIGHT PRIVILEGES FROM A FOREIGN COUNTRY (RECOGNIZED OR UNRECOGNIZED) BEYOND THE

FACT THAT FAA MUST ULTIMATELY CERTIFY THE ROUTE'S SAFETY.

WEHAVE TOLD PANAM THAT THE DEPARTMENT NEITHER SUPPORTS  
NOR DISCOURAGES ITS EFFORTS TO OBTAIN OVERFLIGHT PRIVIL-  
EGES FROM THE PRC.  
VANCE

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, OVERFLIGHT AGREEMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 28-Jan-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE019699  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** J G AUBERT:JCM  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770032-0424  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t1977017/aaaaagaz.tel  
**Line Count:** 123  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 348130dc-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 102443, 75 PEKING 855  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 22-Dec-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3640277  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CIVAIR: PANAM RENEWS REQUEST FOR OVERFLIGHT RIGHTS  
**TAGS:** EAIR, CH, US, PANAM  
**To:** PEKING  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/348130dc-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009